

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

VERNON L. EALY, JR
Plaintiff

v.

BOROUGH OF CHAMBERSBURG,
CAMACHO, POLICE CHIEF OF CPD,
FRANKLIN COUNTY DA'S OFFICE, IAN
BRINK, HEAD DA, FAUST, DA,
TAYLOR, DETECTIVE OF FCDAO,
SHOCKEY, DETECTIVE OF
CPD, WILSON, OFFICER OF CPD, .
ARMSTRONG, SERGEANT OF CPD,
JOHN/JANE "DOE", OFFICERS OF
CPD (FCDTF MEMBERS)
Defendants

No. 1:25-cv-471

FILED
SCRANTON

MAR 14 2025

PER DJ
DEPUTY CLERK

COMPLAINT WITH JURY DEMAND

Introduction

This is a civil action filed by Vernon L. Ealy, Jr., a Pretrial detainee inmate, for damages and injunctive relief under 42 U.S.C. §1983, Alleging Assault and Battery, Excessive Force, False Arrest, False Imprisonment, Retaliation, Racial Discrimination, Negligence, Malicious Prosecution, Misrepresentation in the Search Warrant, Perjury, Illegal Search and Seizure, Violation of Privacy, False Statements, in violation of First, Fourth, Eighth and Fourteenth Amendments.

I. Jurisdiction

1. This Court has jurisdiction over the plaintiff claims of violation of federal constitutional right under 42. U.S.C. § 1331 (1) and 1343.
2. The Court supplemental jurisdiction over the plaintiff's state law tort claims under 28 U.S.C. § 1367.

II. Parties

3. The Plaintiff, Vernon L. Ealy, Jr. was in Chambersburg Pennsylvania, during the events described in the complaint.
4. Defendants Brink and Faust are the District Attorneys and are employed at the Franklin County District Attorneys Office.
5. Defendants Taylor is the Detective is employed at the Franklin County District Attorneys Office.
6. Defendants Shockey is the Detective is employed at the Chambersburg Police Department.
7. Defendants Camacho is the Chief of Police is employed at the Chambersburg Police Department.
8. Defendants Wilson and John/Jane "Does" are the Officers (Franklin County Drug Task Force members) and

Sgt. Armstrong are employed at the Chambersburg Police Department.

9. All the Defendants are being sued in their individual and official capacities and have acted continue to act, under color of state law all times relevant to this complaint.

III. Factual Statement

10. On March 16, 2023, Plaintiff was visiting his parents home (John and Darlene Washington) at the 400 block of S. Main St. Chambersburg, PA 17201, prior to his scheduled court date in Franklin County (Chambersburg). At the time of the incident there were three black males at the above mentioned address (Plaintiff's Father, Nephew and Himself)

11. Plaintiff was currently on pretrial bail, he used his parents home to be released from FCJ around 2020. Sometime after, Ealy relocated to Florida around end of 2022, then used his parents home as mailing address for criminal court purposes. (The change of address were made on both Penndot and Florida Highway Motor Vehicle records)

12. Around 12:00pm on the above-mentioned date, Plaintiff heard a knock on his parents front door. Plaintiff was downstairs in the basement where he resided, he ascended the stairs to enter on the first floor and looked out the window. There he observed two white males, Detective Shockey (in a suite) and Officer Wilson (Full police uniform). (See attached Exhibit A, plaintiff's sworn affidavit)

13. Plaintiff opened the door. Det. Shockey addressed plaintiff by his name ("Mr. Ealy"), as he questioned plaintiff, he placed a picture of an unknown black male in front of Ealy. Plaintiff informed Detective Shockey that he had no idea whom the black male in the picture was. (had nothing to do with the search warrant) (lasted around three to seven minutes with no mentioned of a search warrant)

14. Detective Shockey continued to distract Mr. Ealy, he kept repeating the same questions. Plaintiff answered again "No". When Detective Shockey continued to question Plaintiff, Mr. Ealy viewed other armed officers advancing towards him. Plaintiff began to step back in his parents home, Plaintiff's feet started to get cold from standing on the front porch concrete slab (Plaintiff was not wearing any shoes).

15. Plaintiff became afraid as he seen the armed officers (FCDTF) advancing towards him. Ealy slowly retreated back into the house and tried to close door. Detective Shockey blocked the door way with his hand and bursted in (with Wilson and FCDTF), causing Plaintiff to back peddle towards the living room (facing his aggressors). Plaintiff raised his hands in fear (Plaintiff was diagnosed with pre-existing medical mental conditions such as PTSD and Anxiety from authorities attacking and injuring him in the past and currently being treated).

Assault and Battery

16. Plaintiff (unarmed) did not try to flee, but was immediately tackled like a football player by Detective Shockey and Officer Wilson as the FCDTF member led by Detective Taylor. Plaintiff landed hard on the wooden floor injuring his back, head, torso, shoulders, feet and legs (Plaintiff was diagnosed with pre-existing physical medical conditions such as severe nerve damaged in his leg, feet, ankle and arthritis). Plaintiff immediately screamed in pain as both Officer Wilson and Detective Shockey flipped him on his belly.

Excessive Force

17. Plaintiff continued to scream in pain as Detective Shockey and Officer Wilson were twisting his arms (left and right arm) in a manner that caused plaintiff to scream in more pain. Plaintiff was not resisting as both Shockey and Wilson continued to twist plaintiff's arms for five to seven minutes. Detective Taylor and the FCDTF screamed "Search Warrant"! followed immediately by "stop resisting or I will taze you"! (unknown officer "doe") (FCDTF).

18. Plaintiff could not breathe while pressure was being applied by the bodies of Officer Wilson and Detective Shockey, leaning on top of plaintiff's back. Plaintiff immediately heard from Detective Taylor "You are not being arrested"! "This is just a search warrant"! , handcuffs were then placed on Plaintiff.

Denial of Medical

19. Officers lifted plaintiff off the floor and asked was he okay?, Plaintiff immediately answered "No", as he was still shocked from the attack and in extreme pain. Detective Taylor asked about two cell phones, plaintiff replied that he did not have in his possession nor on the property. (please request body cams)

False Statements

20. Plaintiff was asked where was he staying and plaintiff immediately informed Detective Taylor and the FCDTF officers that he was staying downstairs (basement). Plaintiff's parents home consist of three bedrooms upstairs (2nd Floor), a living room, kitchen and dining room (1st floor) (attack happened), and a basement (downstairs) with two rooms. (Please obtain all body cam footage)

Illegal Search and Seizure

21. Plaintiff immediately was taken into the kitchen where his nephew was also detained. Plaintiff's Father was detained on the stairs. Plaintiff directed Detective Taylor only to his cell phone and one laptop computer. The living room was shared by all member of the household, three computers, hard drives, cellphones that were illegally confiscated by the FCDTF including plaintiff's nephew medical cannabis that were also taken from inside the living room.

22. Plaintiff and his family was left with a sealed search warrant. Plaintiff did receive other court documentations from Franklin and Adams County, concerning traffic citations. They were sent to Ealy's Florida home address that plaintiff was making payments on. Plaintiff's drivers I.D. was a Florida identification which was on record. Plaintiff's family electronics as well as plaintiff's electronics were never returned. Detective Taylor repeatedly asked plaintiff for his identification (which plaintiff alleges Detective Taylor knew about his Florida address change). (See attached Exhibit E, receipt from Adams County) (unable to obtain Franklin County court traffic receipts do to limitations of incarceration)

23. After the raid, plaintiff was in pain and bedridden for two days as a result from the attack. Plaintiff's family drove him to the emergency room at the Chambersburg Hospital (3/18/23) where Plaintiff reported his injuries as well as his attackers and was treated by the medical staff. Plaintiff's back, torso, and legs/feet were still in pain. Ealy suffered physical and emotional infliction. Ealy's PTSD/Anxiety worsen as well as his physical conditions to date.

False Arrest / Retaliation

24. Plaintiff flew back home to Florida (where he continued treatment). Shortly after, plaintiff was arrested for resisting arrest charges followed by other charges regarding the warrant. From the events that had taken place above-mentioned event. (CR-1440-2023). Officer Wilson launched charges of resisting arrest on 03/31/2023 which led to plaintiff's arrest. Plaintiff alleges retaliation from reporting his injuries to Chambersburg Hospital staff on 03/18/23. More new charges as a result of the warrant were launched by Detective Taylor (CR-1441-2023) of wiretap.

25. Plaintiff alleges per policy Chambersburg Hospital contacted the Chambersburg Police Department concerning Ealy's injuries. Officer Wilson tried to cover himself as well as Detectives Taylor/Shockey, and the FCDTF. By filing False charges of resisting arrest against plaintiff (lack of probable cause). (See attached Exhibit B, Pfc Wilson's affidavit)

26. Plaintiff's bail has been revoked since July of 2023, concerning the addition of the above-mentioned new charges. Plaintiff's Attorney Fernando (Cristopher Reibsome, LLC firm) recently visited plaintiff, to view the body cams that were provided by the District Attorney Faust. The body cams although edited clearly affirmed that plaintiff never resisted arrest as Ealy's attorney stated. However, plaintiff was charged with resisting arrest by the district attorneys office (false arrest) (DA Faust was Ealy's previous past attorney, now is his prosecutor).

Racial Discrimination / Equal Protection

27. From the above-mentioned events that took place on 03/16/2023, Plaintiff adds discrimination and retaliation from Detective Taylor and DA Faust. Plaintiff was taken in the kitchen and sat while Detective Taylor were vindictively interrogating Ealy with malice. Det. Taylor was taunting plaintiff in the kitchen saying "You know what probable cause means!?" "Don't you"?, (plaintiff previously went pro se for charges CR-1102-19 & CR-276-19) Taylor mocked and laughed at plaintiff.

a. Plaintiff was pulled out the kitchen and placed in the dining room by Det. Taylor (away from witnesses, Det. Shockey and his Nephew) and excitedly stated " Your black ass is going down for a long time!", This is what you get for messing with one of ours!. Plaintiff filed a complaint against DA Faust with the Disciplinary Board around Feb. of 2023, for discovery violations and conflict of interest.

28. Plaintiff did file a complaint with the Chambersburg Police Department against Detective Shockey, Detective Taylor, Officer Wilson and the Franklin County Drug Task Force members for Assault, Excessive Force, Perjury (Affidavit), Illegal Search and Seizure for the sealed search warrant (currently remains sealed). (See attached Exhibit C, plaintiff's partial complaint)

29. Police Chief Camacho notified plaintiff by mail that an investigation has been launched by Sgt. Armstrong. Sgt. Armstrong never contacted nor interviewed plaintiff at the jail. A Short time "[I]ater, Sgt. Armstrong dismissed the complaint which a copy were sent to plaintiff by mail. (See attached Exhibit D, Stg. Armstrong investigation conclusion)

30. Plaintiff alleges had he been a white male, the outcome of the execution of the search warrant would have been different and just. And he would not have to had been ambushed like an animal. The attack was planned by both Detectives and FCDTF members, deliberately caused Ealy harm. Plaintiff did cooperate with detective Shockey and Officer Wilson from the begining. Had Plaintiff wanted to elude officials he would have never opened the door.

31. Had Detective Shockey announced a search warrant at the very begining Plaintiff would have not been injured physically and or emotionally. Plaintiff currently suffers from nightmares of the tramatic events that had taken place on March 16, 2023.

32. Sgt. Armstrong did not properly investigate the matter. The police body cams are the eye witness to plaintiff claims. Plaintiff alleges Sgt. Armstrong is protecting his co-workers from wrongdoings. Plaintiff alleges had he been a white male a proper investigation would have taken place and he would have been interviewed.

33. Neither plaintiff's father or nephew witnessed the brutal attack against plaintiff. Plaintiff's father was upstairs in his room and his nephew was in the kitchen. However, both of them heard plaintiff's painful screams, during the raid.

Claims for Relief

A. Excessive Force

34. The actions of defendants Shockey and Wilson in using physical force against the plaintiff without need or provocation, or failing to intervene to prevent the misuse of force, were done maliciously and sadistically and constituted cruel and unsual punishment in violation of the Eighth and Fourteenth Amendment of the United

States Constitution.

35. The actions of defendants Shockey and Wilson in using physical force against the Plaintiff without need or provocation constituted the tort of assault and battery under the law of Pennsylvania.

B. Failure to Protect

36. The failure of defendants Taylor and John/Jane "Doe's" (FCDTF members) to take disciplinary or other action to curb the known pattern of physical abuse of Ealy by defendants Shockey and Wilson constituted deliberate indifference to the plaintiff's safety and contributed to and proximately caused the above-described violation of Eighth and Fourteenth Amendment rights and assault and battery.

C. Deliberate Indifference to Medical Needs

37. The failure of defendants Shockey, Taylor, Wilson, and John/Jane "Doe's" officers to act on plaintiff's injuries after the assault by denying plaintiff adequate medical treatment and neglecting plaintiff's serious medical needs (emotional and physical) in violation of the Eighth and Fourteenth Amendment.

E. Right to Equal Protection / Racial Discrimination

38. The failure of defendants Shockey, Taylor, Wilson and John/Jane "Doe's" officers (FCDTF) to properly and safely serve the search warrant at the beginning of contact when plaintiff answered the door to his parents home. Instead plaintiff was ambushed and viciously attacked because of his African American heritage violated the Equal Protection Clause of the Fourteenth Amendment.

39. Chambersburg data shows police officials have safely and properly served search warrants to white citizens without injury and followed policy and procedures in doing so. Plaintiff Ealy has no violence on his record and the search warrant was for a non-violent offense, therefore he was not a threat.

40. The actions of defendant Taylor using derogatory and racial slurs when he led plaintiff Ealy out of the kitchen and into the dining to taunt and intimidate him privately, in violation of the Fourteenth Amendment.

41. As a result plaintiff suffers from emotional distress over the intimidation and comments made by Taylor.

42. The actions of defendants Taylor, Wilson, Shockey and John/Jane "Doe's" officers planned and deliberate ambush to cause harm afterwards racial comments without provocation constituted the tort of discrimination under the law of Pennsylvania equal protection laws.

43. The failure of defendants Camacho and Armstrong, to properly investigate and interview plaintiff's complaint against the officials of the raid violated the Equal Protection Clause of the Fourteenth Amendment.

F. Retaliation / Malicious Prosecution

44. The actions of Defendant Taylor and Faust whom led the execution of the search warrant, intimidated, injured, taunted, and berated plaintiff, during the raid as well as threatened plaintiff concerning a previous filing of complaint plaintiff filed against DA Faust with the Disciplinary Board is in violation of the First Amendment.

45. The actions of Defendants Wilson concerning his visit to the Chambersburg Hospital whom he reported the actors (CPD) whom assaulted him. As a result Officer Wilson launch new charges of resisting arrest in retaliation in violation of the First Amendment.

46. Failure of Defendants Brink, and Faust to withdraw charges of resisting arrest charges after viewing the body cams of the execution of the search warrant and acting on plaintiff's previous complaint filed against DA Faust with the PA Disciplinary Board, which resulted in plaintiff's false arrest in violation of the First Amendment.

G. Illegal Search and Seizure

47. The failure of Defendants Faust, Taylor, Brink, Shockey, Wilson concerning the execution of the search warrant knowingly illegally searching the living room and plaintiff's parents home when plaintiff's PennDOT record of address stated a Florida address constituted illegal search in violation of the Fourth Amendment.

48. The actions of Defendant's Shockey, Wilson, Faust, Taylor in applying and executing the search at plaintiff's parents home constituted the tort of illegal search and seizure under the law of Pennsylvania.

Relief Requested

WHEREFORE, plaintiff requests that the court grant the following relief:

A. Issue a Declaratory Judgment stating that:

1. The Neglect of properly validating plaintiff's home address by defendants Taylor, Faust, Brink, and Shockey resulting in the illegal seizure violated the plaintiff's rights under the Fourth Amendment to the United States Constitution and constituted illegal search under Pennsylvania state law.
2. Defendants Taylor and John/Jane "Doe" (FCDTF) members, actions in failing to protect plaintiff from the assault and excessive force from defendants Shockey and Wilson violated plaintiff's rights under the Eighth and Fourteenth Amendment to the United States Constitution and as well not contacting a EMT for plaintiff constituted negligence under Pennsylvania state law.
3. Defendants Taylor and Shockey actions in failing to protect plaintiff from intimidation, verbal abuse and physical abuse violated plaintiff's rights under the First Amendment to the United States Constitution and constituted discrimination under Pennsylvania state law.
4. Defendants Camacho and Armstrong, actions in failing to punish defendants Taylor, Wilson, Shockey and John/Jane "Doe" (FCDTF) members for injuring, perjury, and illegally entering plaintiff's parents home violated plaintiff's rights under the First, Fourth, Eighth and Fourteenth Amendment to the United States Constitution and constituted invasion of privacy under Pennsylvania state law.
5. Defendants Taylor, Faust, Brink, and Wilson in failing to protect plaintiff from frivolous charges that resulted in the false arrest/imprisonment violated the plaintiff's rights under the Eighth and Fourth Amendment to the United States Constitution and constituted equal protection under Pennsylvania state law.
6. Also Granting Plaintiff Ealy a declaration that were not mentioned among the acts and omissions described herein violate his rights under the Constitution and whatever this Court deems proper under the laws of the United States, and

B. Issue an preliminary and permanent injunction ordering defendants Taylor, Brink, Faust, Camacho or their agents to:

1. Immediately cease the official abuse of vindictive, malicious and selective prosecution against plaintiff Ealy.
2. Immediately withdraw new charges (CR-1440-2023 & CR-1441-2023 resisting arrest/ wiretap) that was launched against plaintiff Ealy prior to filing a complaint against DA Faust with the PA Disciplinary Board around Feb. of 2023.
3. Immediately return all property that was confiscated from Ealy's parents home to plaintiff's family members that resided at above-mentioned address.
4. Immediately reopen the investigation that plaintiff previously filed with the CPD and transfer the

investigation to internal affairs department for new thorough investigation.

C. Award compensatory damages jointly severally against:

1. Defendants Shockey and Wilson for the physical and emotional injuries sustained as a result of the assault and excessive force against plaintiff.

2. Defendants Taylor and John/Jane "Does" (FCDTF) for failing to intervene from the abuse of excessive force that caused physical and emotional injuries against plaintiff.

3. Defendants Brink, Faust, Taylor and Wilson for the false arrest/imprisonment and abuse punishment and emotional injury resulting from their denial of due process in connection with filing frivolous charges against plaintiff.

D. Award nominal and punitive damages in the following amounts:

1. \$50,000 each against defendants Wilson and Shockey;
2. \$20,000 each against defendants Taylor and John/Jane "Doe's" (FCDTF members);
3. \$35,000 each against defendants Faust, Brink, and Taylor;
4. \$20,000 each against defendants Camacho and Armstrong;

E. Plaintiff also seeks:

1. Jury trial on all issues triable by jury.
2. Recovery of their costs in this suit, and

Any additional relief this court deems just, proper, and equitable.

Dated: March 11 , 2025

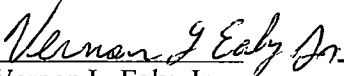
Respectfully submitted,

Vernon L. Ealy #23-00881
Franklin County Jail
1804 Opportunity Ave.
Chambersburg, PA 17201

VERIFICATION

I have read the foregoing complaint and hereby verify that the matters therein are true, except as to matters alleged on information and belief, and as to those, I believe them to be true. I certify under penalty or perjury that the foregoing is true and correct.

Executed at Chambersburg, Pennsylvania on March 11 , 2025


Vernon L. Ealy, Jr.

03/11/2025

Peter J. Welsh
CLERK OF COURT
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
235 NORTH WASHINGTON AVENUE
PO BOX 1148
SCRANTON, PA 18501-1148

Subject: Requesting immediate process of new complaint and forma pauperis

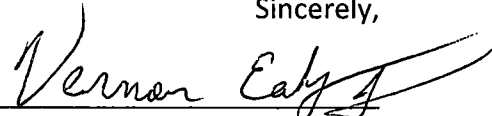
Dear Mr. Welsh or whom it may concern:

Hello, my name is Vernon L. Ealy Jr., I am currently incarcerated at FCJ. I am sending you one complaint and I am requesting that it be processed immediately. I've sent two envelopes which contains two parts (two separate envelopes). One part contains the full complaint, while the other contains the Exhibits A through E along with forma pauperis. Please attached these Exhibits and or process them with the complaint.

By the way I have an active complaint that I've previously filed several months ago (No. 3:24-CV-0126). My forma pauperis was granted for that one as it is still active. My indigent status has not changed, so I am requesting that this new complaint also proceed in forma pauperis. I am also requesting that you send me two more forms of forma pauperis, for I am working on other suits that are not ripe yet.

I thank you in advance for your time and efforts for this very important matters. Please notify me immediately once you receive this information (complaint).

Sincerely,


VERNON L. EALY, JR # 23-00881
FRANKLIN COUNTY JAIL
1804 OPPORTUNITY AVE
CHAMBERSBURG, PA 17201

Name Vernon L. Ealy
Franklin ~~Chambersburg~~ #23-00881
1804 Opportunity Avenue
Chambersburg, PA 17201

HARRISBURG PA 171
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OFFICE OF THE CLERK

UNITED STATES DISTRICT COURT

MAR 14 2025

MIDDLE DISTRICT OF PENNSYLVANIA

235 NORTH WASHINGTON AVENUE

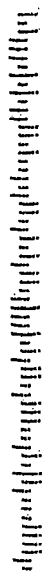
PO BOX 1148

SCRANTON, PA 18501-1148

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USMS X-RAY

Name Vernon L. Ealy #23-00881
Franklin County Jail
1804 Opportunity Avenue
Chambersburg, PA 17201

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SCRANTON

Office of The Clerk

US District Court

MAR 14 2025

235 N Washington Ave.

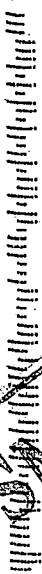
Scranton, Pa 18501-1148

PO Box 1148

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USMS X-RAY